

Haynes and Boone Advises TransData in Patent Infringement Lawsuits Against Smart Meter Manufacturers

September 17, 2015

PRACTICES Intellectual Property Litigation, Patents, Intellectual Property

On behalf of TransData, Inc., a leading developer and manufacturer of digital electricity meters and related energy measurement products for the electric utility industry, Haynes Boone has filed patent infringement lawsuits against three entities in the United States District Court for the Eastern District of Texas.

The action was taken against General Electric (NYSE: GE), Itron, Inc. (NASDAQ: ITRI) and Landis+Gyr AG (60% owned by Toshiba Corp (TYO: 6502), and 40% by Innovation Network Corporation of Japan (INCJ), a public-private partnership between the Japanese government and more than 25 individual corporations).

“We look forward to these trials and are confident we will prevail for TransData,” said Haynes Boone Partner Jamie McDole, who represents the company along with fellow Partner Phillip Philbin. In the lawsuits, TransData claims the defendants are willfully infringing TransData’s U.S. Patent Nos. 6,181,294; 6,462,713 and 6,903,699 “Smart Meter Patents” by making, using, selling, and/or offering for sale in the United States, or importing into the United States, various digital electric meters equipped with an internal “under-glass” wireless communication circuit and antenna.

TransData’s Smart Meter Patents relate to the company’s development of the first digital electric meter to be equipped with an internal “under-glass” wireless communication circuit and antenna.

Current licensees of TransData’s Smart Meter Patents include Sensus USA, Sensus Metering, Southern Company, Alabama Power, Georgia Power, Mississippi Power, Gulf Power, M2M Technologies and Telensa Ltd., among others.

Five years ago, TransData instituted litigation over these same patents against several electric utilities, including Oncor Electric Delivery (an Energy Future Holdings Corp. company), CenterPoint Energy, Texas-New Mexico Power Co., Oklahoma Gas & Electric Company, San Diego Gas & Electric Company, CoServ Electric, Denton Municipal Electric, and Tri-County Electric Cooperative. These electric utility cases are currently ongoing and are proceeding toward trial.

As a result of the electric utility litigations, TransData’s Smart Meter Patents have been subjected to 13 validity challenges at the U.S. Patent and Trademark Office, including four challenges filed by Itron and nine by General Electric. In each instance, the Patent Office reconfirmed the validity of all claims in TransData’s Smart Meter Patents.